

Gregory M. Fox, State Bar No. 070876
Meaghan A. Snyder, State Bar No. 279392
BERTRAND, FOX & ELLIOT
The Waterfront Building
2749 Hyde Street
San Francisco, California 94109
Telephone: (415) 353-0999
Facsimile: (415) 353-0990
E-mail: gfox@bfesf.com
msnyder@bfesf.com

Michael W. Barrett, City Attorney, State Bar No. 155968
David C. Jones, Deputy City Attorney, State Bar No. 129881
NAPA CITY ATTORNEY'S OFFICE
CITY OF NAPA
P.O. Box 660
955 School Street
Napa, CA 94559
Telephone: (707) 257-9516
Facsimile: (707) 257-9274

Attorneys for Defendants CITY OF NAPA and
NAPA POLICE OFFICER THOMAS KEENER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUIS ALEJANDRE,

Plaintiff,

v.

CITY OF NAPA, NAPA POLICE OFFICER
THOMAS KEENER, and DOES 1 through 20,
inclusive,

Defendants.

Case No. C12-4985 JCS

**STIPULATION AND ~~[PROPOSED]~~ ORDER
MOVING CASE MANAGEMENT
CONFERENCE DATE TO ALLOW TIME FOR
COMPLETION OF ADR**

At the Further Case Management Conference held on November 15, 2013 before Judge Joseph C. Spero, the above-case was referred to Magistrate Judge Nathanael Cousins for a Mandatory Settlement Conference. The Settlement Conference was scheduled for February 6, 2014. Assuming ADR would have been completed by February 6, 2014, the Court ordered a further CMC on Friday, February 14, 2014 with a joint CMC Statement due February 7, 2014. However, pursuant to a stipulation between the parties and an Order signed by Magistrate Judge Cousins, the Settlement Conference was moved to March 11, 2014 to allow the parties to obtain the findings and analysis of their jointly-retained forensic

1 pathologist, Dr. Melinek, prior to the Settlement Conference.

2 The parties have met and conferred and agree to a continuance of the Case Management
3 Conference from Friday, February 14, 2014 to Friday, April 4, 2014 in Courtroom G.

4 Based on this good cause, the parties, acting by and through their respective legal counsel,
5 respectfully request that the Court continue the next CMC from Friday, February 14, 2014 at 1:30 p.m. to
6 Friday, April 4, 2014 at 1:30 p.m. to allow time for completion of the Settlement Conference now
7 scheduled for March 11, 2014. The parties must submit a joint Case Management Conference Statement
8 by March 28, 2014.

9 SO STIPULATED:

10 DATED: February 6, 2014

BENNETT & JOHNSON, LLP

11
12 By: _____/s/
13 WILLIAM C. JOHNSON
14 Attorneys for the Plaintiff
LUIS ALEJANDRE

15 DATED: February 6, 2014

BERTRAND, FOX & ELLIOT

16
17 By: _____/s/
18 GREGORY M. FOX
19 Attorneys for the Defendants
CITY OF NAPA and NAPA POLICE
OFFICER THOMAS KEENER

ATTORNEY ATTESTATION

I hereby attest that plaintiff's counsel Mr. Johnson has reviewed this stipulation and proposed order and authorized me to show his consent by his signature indicated by a conformed signature ("/s/") within this E-filed document.

Dated: February 6, 2014

/s/
Gregory M. Fox

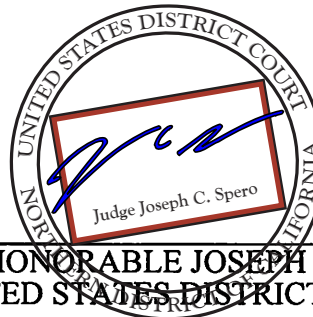
ORDER

Having considered the stipulated request of the parties, and good cause appearing the Court orders as follows:

The Case Management Conference will be continued from Friday, February 14, 2014 at 1:30 p.m. to Friday, April 4, 2014 at ^{2:00}~~1:30~~ p.m. A joint Case Management Conference Statement to be filed by Friday, March 28, 2014.

IT IS SO ORDERED.

DATED: 2/10/14



THE HONORABLE JOSEPH C. SPERO
UNITED STATES DISTRICT JUDGE